



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 29, 1998

### **S. J. Res. 40**

#### **A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States**

*As ordered reported by the Senate Committee on the Judiciary on June 24, 1998*

S. J. Res. 40 would propose amending the Constitution to allow the Congress to enact legislation that would prohibit physical desecration of the U.S. flag. The legislatures of three-fourths of the states would be required to ratify the proposed amendment within seven years for the amendment to become effective. By itself, this resolution would have no impact on the federal budget. If the proposed amendment to the Constitution is approved by the states, then any future legislation prohibiting flag desecration could impose additional costs on U.S. law enforcement and the court system to the extent that cases involving desecration of the flag are pursued and prosecuted. However, CBO does not expect any resulting costs to be significant. Because enactment of S. J. Res. 40 would not affect direct spending or receipts, pay-as-you-go procedures would not apply.

S. J. Res. 40 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. In order to become part of the Constitution, three-fourths of the state legislatures would have to ratify the resolution within seven years of its submission to the states by Congress. However, no state is required to take action on the resolution, either to reject it or to approve it.

The CBO staff contacts for this estimate are Susanne S. Mehlman (for federal costs), and Lisa Cash Driskill (for the state and local impact). This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.